

By: Burnam

H.B. No. 3739

A BILL TO BE ENTITLED

AN ACT

relating to the continued employment of municipal employees who become candidates for public office.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

SECTION 1. Chapter 150, Local Government Code, is amended by adding Subchapter C to read as follows:

SUBCHAPTER C. EMPLOYEES AS CANDIDATES FOR OFFICE

Sec. 150.041. PROHIBITED MUNICIPAL ACTIONS. (a) In this section, "candidate" has the meaning assigned by Section 251.001(1), Election Code.

(b) A municipality may not prohibit a municipal employee from becoming a candidate for public office.

(c) A municipality may not take disciplinary action against a municipal employee, including terminating the employment of the employee, because the employee becomes a candidate for public office.

(d) A municipality may suspend, with or without pay, a municipal employee who becomes a candidate but must reinstate the employee to the job previously held by the employee when the employee ends the campaign or is elected to office, unless the duties of the office interfere with the person's duties as a municipal employee.

SECTION 2. This Act takes effect immediately if it receives a vote of two-thirds of all the members elected to each house, as

H.B. No. 3739

1 provided by Section 39, Article III, Texas Constitution. If this
2 Act does not receive the vote necessary for immediate effect, this
3 Act takes effect September 1, 2013.